

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Jeremy William Barber)	File Number: EB-08-PO-0037
)	
Aloha, Oregon)	NAL/Acct. No.: 200832920001
)	FRN: 0017513151

FORFEITURE ORDER

Adopted: July 28, 2008

Released: July 30, 2008

By the Regional Director, Western Region, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of seven thousand dollars (\$7,000) to Jeremy William Barber (“*Barber*”), owner and operator of a Citizens Band (“*CB*”) radio station in Aloha, Oregon, for willful violation of Section 303(n) of the Communications Act of 1934, as amended,¹ (“*Act*”) and Section 95.426(a) of the Commission's Rules (CB Rule 26).² The noted violation involves Barber’s failure to permit an inspection of his CB radio station by the Resident Agent of the Enforcement Bureau’s Portland Resident Agent Office.

2. On March 28, 2008, the Resident Agent of the Enforcement Bureau’s Portland Resident Agent Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$7,000 to Barber.³ Despite evidence that Barber received the *NAL*, Barber has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. Subsequent to the issuance of the *NAL*, the Portland Resident Agent Office continued to receive complaints concerning Barber’s operation of his CB radio station. We direct the Portland Resident Agent Office to conduct a follow-up inspection of Barber’s CB radio station to determine whether Barber’s operation of his CB radio station is compliant with the Commission’s Rules regarding the CB radio service. We caution Barber that failure to allow this inspection by the Portland Resident Agent Office will result in further sanctions and forfeitures for violation of Section 303(n) of the Act and Section 95.426(a) of the Rules.

4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Act,⁴ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules,⁵ Jeremy William Barber, **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$7,000 for willfully violating Section 303(n) of

¹ 47 U.S.C. § 303(n).

² 47 C.F.R. § 95.426(a).

³ *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200832920001 (Enf. Bur., Western Region, Portland Resident Agent Office, released March 28, 2008).

⁴ 47 U.S.C. § 503(b).

⁵ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

the Act,⁶ and Section 95.426(a) of the Rules.⁷

5. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁸ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures. Jeremy William Barber shall also send electronic notification on the date said payment is made to WR-Response@fcc.gov.

6. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Jeremy William Barber, at his address of record.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau

⁶ 47 U.S.C. § 303(n).

⁷ 47 C.F.R. § 95.426(a).

⁸ 47 U.S.C. § 504(a).